

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TULSI GABBARD and TULSI NOW, INC.,

Plaintiffs,

v.

HILLARY RODHAM CLINTON,

Defendant.

Civil Action No. 20-cv-558

ORAL ARGUMENT REQUESTED

**NOTICE OF DEFENDANT HILLARY RODHAM CLINTON'S
MOTION TO DISMISS THE FIRST AMENDED COMPLAINT
FOR FAILURE TO STATE A CLAIM**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, declaration, and exhibits, Defendant Hillary Rodham Clinton, by and through the undersigned counsel, will move this Court, before the Honorable Valerie Caproni, United States District Judge, in Courtroom 443 at the Thurgood Marshall Courthouse, 40 Foley Square, New York, NY 10007, on such day and at such time designated by the Court, for an Order dismissing the First Amended Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure for failure to state a claim upon which relief can be granted.

Respectfully submitted,

s/ David E. Kendall

David E. Kendall (Bar No. DK8983)
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Dated: April 7, 2020

CERTIFICATE OF SERVICE

I hereby certify that on April 7, 2020, I caused to be filed electronically the foregoing Notice Of Defendant Hillary Rodham Clinton's Motion To Dismiss The First Amended Complaint For Failure To State A Claim with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record in this matter who are on the CM/ECF system.

s/ David E. Kendall
David E. Kendall